

TOWN OF DAVIE TOWN COUNCIL AGENDA REPORT

TO: Mayor and Councilmembers

FROM/PHONE: Mark Kutney, AICP, (954) 797-1101

SUBJECT: Ordinance

Quasi Judicial Hearing: Rezoning

Application No., Project Name and Location:

ZB 6-2-01, Miller Legg & Associates, Inc., Petitioner/Town of Davie, Owner, 7575 Davie Road Extension/Generally located at the northeast corner of Davie Road Extension and NW 76 Avenue, approximately 1/2 mile east of University Drive.

REPORT IN BRIEF:

The applicant is requesting to rezone 4.2 acres of land from RM-10, Medium Density Dwelling District to R-5, Low Medium Dwelling District for Habitat for Humanity of Broward to develop 22 single family homes in a residential development. The proposed R-5, Low Medium Density Dwelling zoning designation is consistent with the existing Residential (10 du/ac) land use designation. Also, access to the subject site will be limited to NW 76 Avenue.

This request will result in the provision of urgently needed affordable housing opportunities for Davie renters seeking to become first-time homebuyers. The Town is a partner in this venture, and is donating the land to Habitat for Humanity of Broward County for this purpose. Additionally, the Town has allocated \$625,000 in it's SHIP Grant funds for the predevelopment of this site, and has pledged to waive all Building Permit and related fees.

PREVIOUS ACTIONS: None

CONCURRENCES:

- * The Planning and Zoning Board recommended approval of the request at its August 8, 2001 meeting. (Motion carried 5-0)

FISCAL IMPACT: Not Applicable

RECOMMENDATION(S): Motion to approve.

Attachment(s): Planning report with back-up, land use map, subject site map, and aerial.

Application #: ZB 6-2-01

Revisions:

Exhibit "A":

Original Report Date: 7/17/01

**TOWN OF DAVIE
Development Services Department
Planning & Zoning Division Staff
Report and Recommendation**

APPLICANT INFORMATION

Owner:

Name: Town of Davie
Tom Willi, Town Administrator
Address: 6591 Orange Drive
City: Davie, FL 33314
Phone: (954) 797-1035

Agent:

Name: Miller Legg & Associates, Inc.
Address: 1800 N. Douglas Rd.,
Ste. 200
City: Pembroke Pines, FL 33024
Phone: (954) 436-7000

BACKGROUND INFORMATION

Application Request: To rezone 4.2 acres of land from RM-10, Medium Density Dwelling District to R-5, Low Medium Dwelling District.

Address/Location: General Address 7575 Davie Road Extension/Generally located at the northeast corner of Davie Road Extension and NW 76 Avenue, approximately 1/2 mile east of University Drive.

Land Use Plan Designation: Residential (10 du/ac)

Zoning: RM-10, Medium Density Dwelling District

Existing Use: Vacant Land

Proposed Zoning: R-5, Low Medium Density Dwelling District

Proposed Use: 22 single family residential homes

Parcel Size: 4.206 acres (183,213.36 square feet)

Surrounding Land Use:

North: Vacant Land, Apt. Bldg.
South: City of Hollywood - Office Bldg.,
Church
East: Bojman Bldg. & Vacant Land
West: Harmony Village Subdiv.,
Shopping Center

Land Use Designation

Utility, Residential (16 du/ac)
City of Hollywood
Commercial
Residential (5 du/ac), Plaza
Commercial

Surrounding Zoning:

North: CF, Community Facilities District & RM-16, Medium Density Residential District
South: City of Hollywood - St. of Fla. Employment Office, Church
East: B-1, Neighborhood Business District & B-2, Community Business District
West: R-5, Low Medium Dwelling District & B-2, Community Business District

ZONING HISTORY**Related Zoning History:****Harmony Village Community Redevelopment/Revitalization Plan:**

On February 7, 2001, the Town Council approved the conceptual plan for development of the "Harmony Village Community" in the Driftwood area of Davie south of Stirling Road, east of 78th Avenue, and north and west of the Davie Road Extension. This area is one of three (3) neighborhoods that were targeted by the Town in 1997 for redevelopment/revitalization, due to physical decay/blight, and significant numbers of lower-income families. The Driftwood area represents less than 1.5 percent of the Town's land area, but comprises seven (7%) percent of the entire population in Davie. There are 3,282 residents in the area, the majority of which are low/moderate income families.

The "Harmony Village Community" Redevelopment/Revitalization Plan is a multi-faceted endeavor which contains both residential and non-residential components, and sets forth a holistic approach to neighborhood revitalization which includes:

- the provision of affordable homeownership opportunities for Davie residents living in substandard mobile homes, or who are "cost-burdened" in their rent
- increased/enhanced park and recreation opportunities for at-risk youth
- the provision of educational/vocational opportunities (computer/InterNet skills)
- job training and employment opportunities
- affordable child care opportunities and after-school programs
- specialized Fair Housing Outreach and Education Campaigns
- physical and mental health care services for needy families
- upgraded the living conditions for Davie residents living in Public Housing

The center-piece of the Harmony Village Plan, is the development of the 22 new single-family homes affected by this rezoning. The Town is donating this land to Habitat for Humanity of Broward County, and has committed \$625,000 in Davie's SHIP Grant Funds

for the predevelopment of the site. Additionally, all Park & Recreation Impact and Building Permit Fees will be waived.

While Habitat normally develops homes for families who earn less than 50% of the areas median income, this development will have a mix of incomes; and, approximately one-third of the homes will be set aside for families earning up to 80% of the median income. The design of the homes will be varied (i.e. three different site elevations), and will mirror market rate housing.

The homes will be financed by local lenders with interest-free loans payable over 20 years. No cash down-payments are required of the homeowners; however, they were required to contribute 500 hours of sweat equity in their unit. Construction costs are estimated to be \$76,478 per unit; and the development criteria was predicated on Habitat receiving the same variances as were granted for Phase I of Harmony Village.

Previous Requests on same property: None

DEVELOPMENT PLAN DETAILS

This rezoning will provide land zoned R-5, Low Medium Density Dwelling District for Habitat for Humanity of Broward to develop 22 single family residential development.

Applicable Codes and Ordinances

Land Development Code Section 12-307, Review for Rezoning.

Comprehensive Plan Considerations

Planning Area: This property falls within Planning Area 11, is bounded by Griffin Road to the north, Davie Road Extension on the southeast, and University Drive on the west. The area is characterized by multi-family residential development on the south side of Stirling Road, ranging from 8 to 16 dwelling units per acre. There are two single-family residential subdivisions, developed at 5 dwelling units per acre.

Small commercial developments line Davie Road Extension. The Town has potable water and wastewater treatment facilities in this planning area. Florida Department

of Transportation (FDOT) is in the design stage of widening Davie Road Extension.

Broward County Land Use Plan: The subject site falls within Flexibility Zone 102.

The petitioner will be required to plat this property through the Town of Davie and Broward County. Concurrency review, including roadways and utilities infrastructure will be reviewed at the time of platting. This site falls within a compact deferral area as identified by the Broward County Compact Deferral map.

Applicable Goals, Objectives & Policies:

Future Land Use Policy 5-2: The (re)zoning, (re) platting, and site planning of land shall be in compliance with the density ranges shown on the Davie Future Land Use map and the applicable Future Land Use Designation provisions as contained in the Permitted Uses portion of the Implementation Section.

Future Land Use Policy 6-1: Residential development of moderate to high density should be located in close proximity to arterial roadways, available mass transit, and other community amenities, and should generally be located east of Pine Island Road, unless located adjacent to the State Road 84/I-595 corridor, or I-75 interchanges.

Future Land Use Policy 17-3: Each development proposal shall be reviewed with respect to its compatibility with adjacent existing and planned uses.

Staff Analysis

The petitioner is proposing to rezone 4.2 acres of land from R-5, Low Medium Density Dwelling District for Habitat for Humanity of Broward to develop 22 single family homes in a residential development.

The proposed R-5, Low Medium Density Dwelling zoning designation is consistent with the existing Residential (10 du/ac) land use designation. Also, access to the subject site will be limited to NW 76 Avenue.

In conclusion, staff believes this request is consistent with the Town's Comprehensive Plan, will not increase traffic above that anticipated under existing conditions of the area, and will not be harmful to the welfare of the general public.

This request will result in the provision of urgently needed affordable housing opportunities for Davie renters seeking to become first-time homebuyers. The Town is a partner in this venture, and is donating the land to Habitat for Humanity of Broward County for this purpose. Additionally, the Town has allocated \$625,000 in its SHIP Grant funds for the predevelopment of this site, and has pledged to waive all Building Permit and related fees.

Findings of Fact**Section 12-309(B)(1)**

- (a) The proposed change is not contrary to the adopted comprehensive plan, as amended, or any element or portion thereof;
- (b) The proposed change will not create an isolated zoning district unrelated and incompatible with adjacent and nearby districts;
- (c) Existing zoning district boundaries are logically drawn in relation

to existing conditions on the property proposed for change;

- (d) The proposed change will not adversely affect living conditions in the neighborhood;
- (e) The proposed change will not create or excessively increase automobile and vehicular traffic congestion above that which would be anticipated with permitted intensities or densities of the underlying land use plan designation, or otherwise affect public safety;
- (f) The proposed change will not adversely affect other property values;
- (g) The proposed change will not be a deterrent to the improvement or development of other property in accord with existing regulations;
- (h) The proposed change does not constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public;
- (i) There are substantial reasons why the property cannot be used in accord with existing zoning.
- (j) The proposed zoning designation is the most appropriate designation to enhance the Town's tax base given the site location relative to the pattern of land use designations established on the future land use plan map, appropriate land use planning practice, and comprehensive plan policies directing land use location.

Staff Recommendation

Recommendation: Based upon the above and the overall finding of facts in the positive, staff recommends **approval** of application no. ZB 6-2-01, subject to approval of variance petition V 6-1-01.

Planning and Zoning Board Recommendation

The Planning and Zoning Board recommended approval of the request at its August 8, 2001 meeting. (Motion carried 5-0)

Exhibits

Justification Letter, Proposed Site Plan, Land Use map, Subject Site map, and Aerial.

Prepared by: _____
Reviewed by: _____

Supplemental data for the Rezoning Application for the "Harmony Village Community"

Request: Rezone from RM-10 to R-5

Project History: On February 7, 2001 the Town of Davie passed Resolution No R-2001-37 approving the conceptual plan for development of the "Harmony Village Community", located in the southern CDRD target area, known as the Driftwood Target Area. The resolution also authorized the Town Administrator and the Housing and Community Development Director to proceed with all the necessary actions to implement the plan. The site is currently zoned RM-10 for development of 10 dwelling units per acre. This new community will consist of twenty-two (22) single family units. The RM-10 zoning district does not permit single family units and therefore, one of the first actions required to implement the conceptual design for the Harmony Village Community is this rezoning process.

The site consists of a portion of vacant land within Tract 64 of the "A.J. Bendle Subdivision" plat, and a portion of vacant land that was platted as the "Driftwood Estates No 21" plat. The proposed site will be replatted into one plat known as the "Harmony 'Village Community" plat.

The Town of Davie requires specific criteria to be reviewed for all rezoning requests. The following questions are provided on the rezoning application and are answered below:

1. *Whether or not the proposed change is contrary to the adopted comprehensive plan, as amended, or any element or portion thereof:*

The proposed change from RM-10 to R-5 is not contrary to the adopted comprehensive plan, which permits a maximum of 10 dwelling units per acre. The change creates a less intensive development for this site, which generates less impacts for development.

2. *Whether or not the proposed change would create an isolated zoning district unrelated and incompatible with adjacent and nearby districts:*

The adjacent zoning districts and land use categories are compatible with the proposed zoning. There is an existing Habitat for Humanity development consisting of ten single-family homes to the west of this site, known as the Harmony Village plat. This proposed site expands on this community by adding another single-family development to the Habitat for Humanity community, and blends very well with the existing surrounding zoning districts and land uses. The adjacent zoning districts are as follows:

North: CF and RM-16
South: C-1 and RM-9
East: R-2 and B-1
West: R-5

3. *Whether or not the existing zoning district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.*

The existing RM-10 zoning district boundaries were not illogically drawn in relation to the existing conditions of the site.

4. *Whether or not the proposed change will create or excessively increase automobile and vehicular traffic congestion or otherwise affect public safety:*

The requested change in zoning provides a decrease in the amount of proposed amount of trips per day (TPD) for the project. This rezoning request is considered a down-zoning from a 10 DU/AC to 5 DU/AC. There are 22 single-family lots proposed for this project at 5 dwelling units per acre. The trip generation rate, according to "Appendix A – Trips Rates by Purpose" provided by the Broward County Department of Planning & Environmental Protection, for a single-family unit is 9.57 TPD. The trip rate for a townhouse unit, which would be the type of use equivalent to the 10 DU/AC land use category, has a rate of 5.86 TPD. The current zoning would permit a total of 44 townhouse units for a total of 257.84 TPD. The proposed 22 single-family units at 9.57 TPD would generate only 210.54 TPD, providing a decrease in trips for the proposed use of 47.4 TPD.

5. *Whether or not the proposed change will adversely affect other property values:*

This change would not adversely affect other property values in the area. The single family homes that are proposed for this site are typically higher in value than a multi-family product that would be built if the land were to remain at the RM-10 zoning district. This change in zoning would actually increase property values, and would greatly benefit the community.

6. *Whether or not the proposed change will be a deterrent to the improvement or development of other property in accord with existing regulations:*

As noted in answer 5 above, this change would increase property values and would create an improvement over a higher density development that would be permitted by the existing RM-10 zoning district.

7. *Whether or not the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.*

The proposed change will not grant a special privilege to an individual owner.

North: CF and RM-16
South: C-1 and RM-9
East: R-2 and B-1
West: R-5

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7. *Whether or not the proposed change will constitute a grant of special privilege to an individual owner as contrasted with the welfare of the general public.*

The proposed change will not grant a special privilege to an individual owner.

8. *Whether or not there are substantial reasons why the property cannot be used in accord with existing zoning.*

This site was collectively chosen by Habitat for Humanity of Broward and the Town of Davie due to the desire to expand the existing Harmony Village into a larger community. Since the site is accessible and inviting to a multi-cultural neighborhood, it was selected by the Town of Davie and Habitat for Humanity of Broward, to play a key role in the redevelopment of the Driftwood CDBG Target Area. The site is located immediately adjacent to Driftwood Park, which will house a new 8000 square foot Boys and Girls Club facility on the southeast corner. That facility will increase and enhance park and recreation opportunities and expanded programs for at-risk neighborhood youth. Additionally, there are 400 units of assisted rental housing (Public Housing and Section 8), just one half block from the site. The Town's revitalization plan includes "self-sufficiency programs" designed to help these tenants transition from rental housing to homeownership opportunities, such as will be created on the subject parcel.

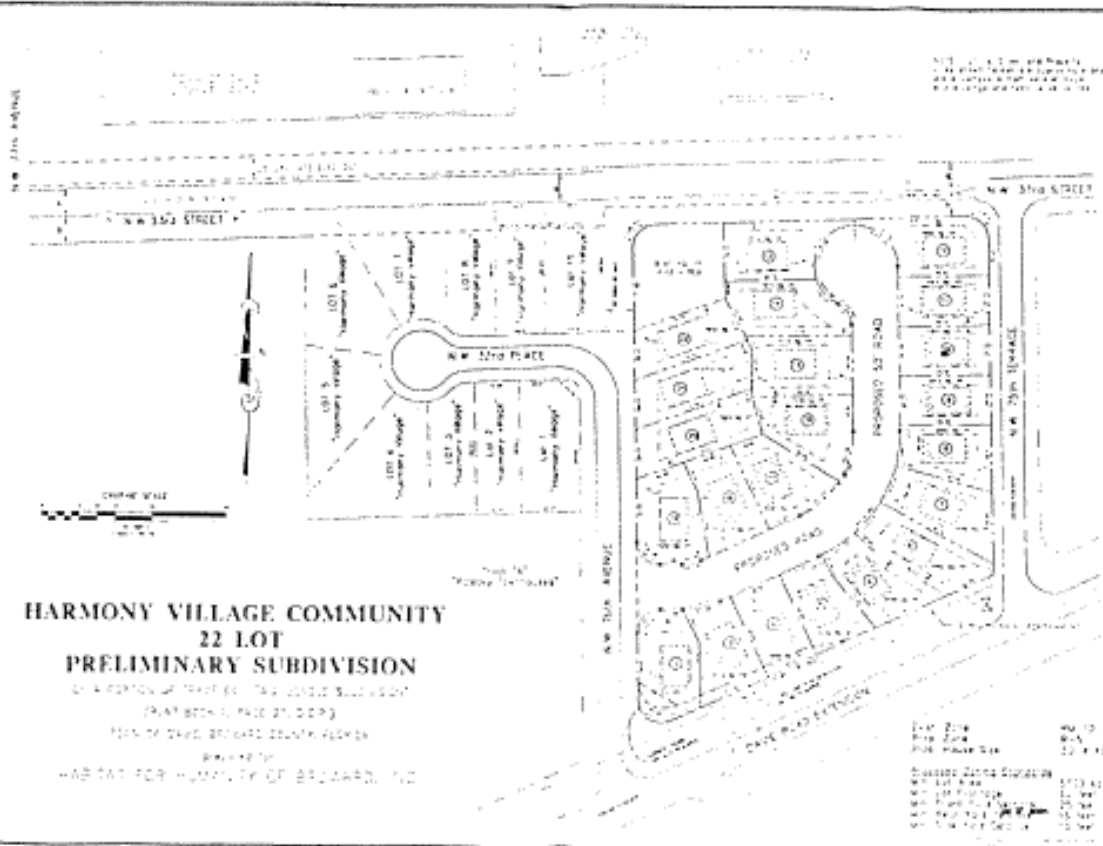
HARMONY VILLAGE COMMUNITY 22 LOT PRELIMINARY SUBDIVISION

IN A PORTION OF TRACT 66, "THE LITTLE SUBDIVISION"
(PLAT BOOK 1, PAGE 27, 22-23)

TOWN OF DAVIS, BRADLEY COUNTY, ALABAMA

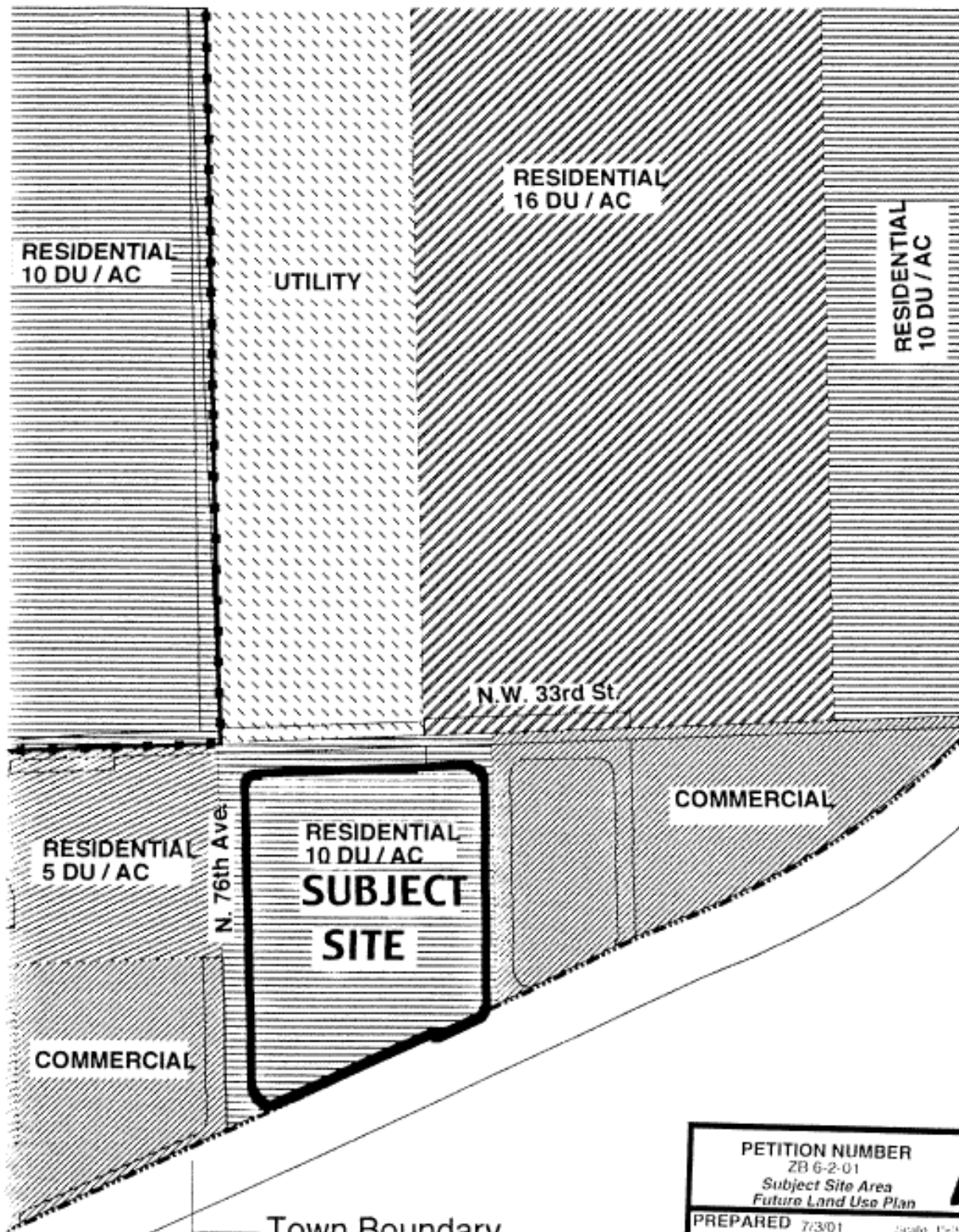
PREPARED BY

HAROLD FOR HARMONY OF BRADLEY, ALA.



Harmony Village Community
Town of Davis, Bradley County, Alabama
Prepared by Harold for Harmony of Bradley, Ala.

NOTED BY EX



PETITION NUMBER ZB 6-2-01 Subject Site Area Future Land Use Plan	N 4
PREPARED 7/3/01 BY THE PLANNING & ZONING DIVISION	Scale: 1"=200'

